
Transportation Committee

HB 3179

Brief Description: Refining the roles of the transportation commission and department of transportation.

Sponsors: Representatives Murray and Woods; by request of Governor Gregoire.

Brief Summary of Bill

- Moves most powers, functions, and duties of the Washington Transportation Commission (Commission) to the Department of Transportation (DOT).
- Increases the role of the Office of Financial Management (OFM) in overseeing several functions of the DOT that were formerly within the Commission's purview, and appropriates \$450,000 to the OFM in connection with its increased role.
- Eliminates the Transportation Performance Audit Board (TPAB).

Hearing Date:

Staff: David Bowman (786-7339).

Background:

The Washington Transportation Commission (Commission) has several responsibilities and roles in setting state transportation policy.

In 2005, the Legislature restructured statewide transportation governance, including among other things making the Washington State Department of Transportation (DOT) a cabinet level agency, with the Secretary of Transportation to be appointed by the Governor. The Secretary assumed authority previously directed to the Washington Transportation Commission to propose the WSDOT agency budget and to authorize departmental request legislation.

Following the restructure, the Commission retained certain authority, including:

- statewide transportation planning;
- issuance and sale of all bonds authorized by the Legislature for capital construction of state highways, toll facilities, urban arterial projects, and aviation facilities;
- budget oversight, specifically the authority to approve limited transfers of funds for Nickel projects based on specific criteria, and transfers for transportation partnership projects;
- functional highway classification, and designation of highways of statewide significance;

- designating the state's freight and goods transportation system;
- adopting a comprehensive 10-year investment program;
- establishing performance measures and certify local public transportation agency maintenance and preservation management plans;
- receiving reports from the County Road Administration Board (CRAB) regarding maintenance of transportation assets;
- receiving preservation rating information on cities' and towns' arterial networks;
- preparing statewide multi-modal transportation progress report; and
- serving as the state's tolling authority and setting ferry fares.

Additionally, the Commission received an expanded role as a public forum for transportation policy development.

The TPAB was granted separate authority to direct performance audits, and its authority regarding directed agency reviews, and functional and performance audits, was expanded to include certain local transportation entities. However, on November 8, 2005, voters approved Initiative 900 requiring the State Auditor to conduct performance audits of state and local governments, including "state and local transportation governmental entities and each of their agencies, accounts, and programs" I-900 dedicates a percentage of the state sales and use tax for this purpose. In 2005, the State Auditor was authorized to conduct performance audits for transportation-related agencies and appropriated \$4 million for this purpose.

The TIP program was created to enable the DOT to enter into partnerships with private entities for the development of transportation facilities. The Commission has several responsibilities relating to the TIP program, including enacting rules for the proper acceptance, review, evaluation and selection of projects. After a tentative development agreement has been reached on an identified project, the Commission must publish the proposed contract for 20 days, followed by a hearing to receive public comment. After receiving public comment and approving a public involvement plan, the Commission may execute the contract.

In 2002, the Legislature adopted certain recommendations of the state Blue Ribbon Commission on Transportation. Responding to a recommendation to adopt transportation benchmarks, the Legislature established policy goals for the operation of, performance of, and investment in the state's transportation system.

Summary of Bill:

The roles and responsibilities of DOT, the Commission, and the Office of Financial Management (OFM), are modified. The TPAB is eliminated.

The DOT obtains the following responsibilities, in addition to various administrative duties, from the Commission: (1) Adopting the comprehensive and balanced statewide transportation plan; (2) issuance, sale, and retirement of bonds; (3) developing, with OFM, a comprehensive investment program, including programming and prioritization standards, (4) overseeing the Transportation Innovative Partnership Program; (5) conducting performance reviews of transportation-related agencies; and (6) adopting a functional classification of highways, including the designation of highways of statewide significance.

The Commission retains the following responsibilities, among others:

- conducting public outreach;

- setting tolls and ferry fares; and
- recommending to the Governor and the Legislature improvements in certain transportation issue areas.

The OFM obtains the responsibilities of reviewing the Commission's operating budget, participating in duties concerning the investment program alongside the DOT, reviewing the DOT's use of transportation demand modeling tools and allocation of estimated revenue between preservation and improvement programs, approving rules and standards for benchmarks adopted by the DOT, and other administrative duties. An appropriation of \$450,000 is made from the multimodal transportation account to the OFM to increase its transportation policy and budget sections.

The composition of the Commission is revised as follows: (1) Commissioners may be removed by the Governor "for cause"; (2) limits on Commissioners' terms of office are removed; (3) the Governor, or his/her designee, is added as a nonvoting member; (4) the specific partisan and geographic membership requirements are revised; (5) the required minimum number of meeting days is revised; and (6) the maximum number of days for reimbursement of expenses is revised.

The authority in the 2005 transportation revenue bill for the State Auditor to conduct performance audits, and the \$4 million appropriation for that purpose, is eliminated.

The TPAB is eliminated, and the TPAB statutory provisions are repealed in their entirety.

The Office of Transit Mobility statute is repealed.

The state transportation policy goals based on the recommendations of the state Blue Ribbon Commission on Transportation are eliminated.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.